

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

  X   Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
       Recommendations of Boards, Commissions & Committees (Green)  
       Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: Scott Niehaus, Village Manager  
DATE: June 7, 2019 (B of T) Date: June 20, 2019  
TITLE: Amending Title XI , Chapter 112, Section 112.13(A) of the Lombard Village Code  
Reduction in the number of Class "A/B-II" and "C" Liquor Licenses  
SUBMITTED BY: Keith T. Giagnorio  
Liquor Control Commissioner

BACKGROUND/POLICY IMPLICATIONS:

Whirly West Inc. d/b/a Whirly Ball located at 800 E. Roosevelt Rd. is no longer conducting business at that location. The State liquor license for Le Crowe Café Co. d/b/a La France Café and Crepes located at 708 S. Main Street expired May 31, 2019. The owner has voluntarily chosen not to renew it and as a result have forfeited their Village liquor license as of that date.

Attached is an Ordinance reflecting a decrease in the number of entries in the Class "A/B-II" and "C" liquor license categories as required by Village Code.

A waiver of first reading is being requested in order to bring the number of licenses available in these liquor categories current to reflect this change.

Please place this item on the June 20, 2019 Board of Trustees agenda for consideration.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** Scott Niehaus, Village Manager

**FROM:** Keith Giagnorio, Local Liquor Commissioner

**DATE:** June 3, 2015

**SUBJECT: Text Amendment to Title XI, Chapter 112, Section 112.13(A)  
Number of Authorized Liquor Licenses**

Whirly West Inc. d/b/a Whirly Ball located at 800 E Roosevelt Road currently holds an "A/B-II" liquor license. Staff received email notification on May 22, 2019 from the owner indicating that they had ceased business operations at their Lombard location.

Also, Le Crowe Café Co. d/b/a La France Café and Crepes located at 708 S. Main Street, informed staff that their State liquor license expired on May 31, 2019 and would not be renewing it. Village Code Section 112.24(C) requires that all licensees shall maintain a valid state license at all times while selling alcoholic liquor at retail otherwise it shall be deemed to be forfeited by the licensee. The owner was informed of this condition and indicated that at the close of business on May 31, 2019 all alcoholic liquor would be removed.

As a result, attached is an ordinance decreasing the Class "A/B-II" and "C" liquor license categories by one as required by Village Code.

Staff is requesting a waiver of first reading in order to bring the number of licenses available in these liquor classifications current to reflect this change.

If you have any questions, please feel free to contact me.

/jd

ORDINANCE \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112,  
SECTION 112.13(A) OF THE LOMBARD VILLAGE CODE IN  
REGARD TO ALCOHOLIC BEVERAGES**

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS** as follows:

**Section 1:** That Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the entry relative to the Class "A/B-II" liquor licenses contained therein, to read as follows:

Class "A/B-II" - 7

That the decrease in the number of Class "A/B-II" liquor licenses set forth in Section 1 above, is a result of Whirly West Inc. d/b/a Whirly Ball located at 800 E Roosevelt Road no longer conducting business at that location.

**Section 2:** That Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the entry relative to the Class "C" liquor licenses contained therein, to read as follows:

Class "C" - 8

That the decrease in the number of Class "C" liquor licenses set forth in Section 2 above, is a result of Le Crowe Café Co. d/b/a La France Café and Crepes located at 708 S. Main Street voluntarily not renewing their State liquor license as of May 31, 2019 and have forfeited their Village liquor license.

**Section 3:** This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Ordinance No. \_\_\_\_\_

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Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk